



ATTORNEY'S DOCKET NO.: 2004229-0031

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Hansen, et al. Examiner: Not yet assigned
Serial No.: 10/076,363 Art Unit: 1645
Filing Date: February 15, 2002
Title: SYSTEM FOR AXIAL PATTERN ANALYSIS OF
MULTICELLULAR ORGANISMS

Mail Stop DD
Commissioner For Patents
P. O. Box 1450
Alexandria, VA 22313

Sir:

TRANSMITTAL LETTER

Enclosed please find the following documents regarding the above-referenced patent application:

1. Statement Filed Pursuant to the Duty of Disclosure Under 37 CFR §§ 1.56, 1.97 and 1.98 (6 pp.);
2. Form PTO-1449 (2 pp.);
3. Cited Art (7 references);
4. Return postcard.

Please charge any additional fees or credit any overpayments to our Deposit Account No. 03-1721.

Respectfully submitted,

Dated: August 6, 2003

Brenda Hersenbach Jarrell, Ph.D.
Reg. No. 39,223

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313
on August 8 2003
Kathy J. Jarrell



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STATEMENT

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, Applicant requests consideration of this Information Disclosure Statement.

Type of Statement

The present Information Disclosure Statement is:

- An *original* Information Disclosure Statement; or
 A *supplemental* Information Disclosure Statement.

Compliance with 37 CFR § 1.97

The present Information Disclosure Statement is being filed:

- [X] Pursuant to 37 CFR § 1.97(b); no fee or certification is required:
- [] Within three months of the filing date of a national application other than a continued prosecution application under § 1.53(d);
- [] Within three months of the date of entry of the national stage as set forth in § 1.491 in an international application;
- [X] Before the mailing of a first Office action on the merits; or
- [] Before the mailing of a first Office action after the filing of a request for continued examination under § 1.114.
- [] Pursuant to 37 CFR § 1.97(c) after the dates listed above but before the mailing date of any of a final action under § 1.113, a notice of allowance under § 1.311, or an action that otherwise closes prosecution in the application; Applicant hereby *either*:
- [] Certifies that *either*:
- [] each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement; or
- [] That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the

knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the information disclosure statement.; or

- [] Includes herewith the fee set forth in § 1.17(p).
- [] Pursuant to 37 CFR § 1.97(d), after the mailing date of any of a final action under § 1.113, a notice of allowance under § 1.311, or an action that otherwise closes prosecution in the application; Applicant hereby *both*:
 - [] Certifies that *either*:
 - [] each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement; or
 - [] That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the information disclosure statement.; and

Includes herewith the fee set forth in § 1.17(p).

Content of the Information Disclosure Statement

Applicant hereby makes of record in the above-identified application the reference(s) listed on the attached form PTO-1449 (modified). The order of presentation of the references should not be construed as an indication of the importance of the references.

Applicant includes copies of references as indicated below:

- A copy of each cited reference not indicated with an asterisk is included;
- Copies of references indicated with an asterisk on the attached form PTO-1449 are not included pursuant to 37 CFR § 1.98(d) because they were previously provided to the United States Patent Office in an Information Disclosure Statement that complies with 37 CFR § 1.98(a)-(c) and was submitted in the following patent application that is relied upon in the present case for an earlier effective filing date under 35 USC § 120:

Serial Number	Filing Date	Status

- Copies of English translations of one or more non-English references are included.

Applicant hereby makes the following additional information of record in the above-identified application:

Applicant certifies that the Information Disclosure Statement *either*:

- Does not contain non-English language citations;
- Does contain non-English language citations, of which the following is a concise explanation:

[] Includes one or more translations of a non-English citation.

Remarks

The submission of this Information Disclosure Statement should not be construed as a representation that a search has been made.

The submission of this Information Disclosure Statement shall not be construed to be an admission that the information cited in the statement is, or is considered to be, material to patentability as defined in § 1.56(b) .

The submission of this Information Disclosure Statement shall not be construed as a representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO-1449 be signed by the Examiner to evidence that the cited patent(s) and publication(s) has (have) been fully considered by the Patent and Trademark Office during the examination of this application; and
3. The citations for the patent(s) and publication(s) be printed on any patent which issues from this application.

Notwithstanding any statements by Applicants, the Examiner is urged to form his or her own conclusions regarding the relevance of the cited reference(s).

Respectfully submitted,

Dated: August 6, 2003



Brenda Herschbach Jarrell, Ph.D.
Registration No. 39,223

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FORM PTO-149 (REV. 8-83)		U.S. Department of Commerce Patent and Trademark Office		ATTY. DOCKET: 2004229-0031	IN RE APPLICATION NO. 10/076,363
SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT <i>(Use several sheets if necessary)</i>		APPLICANT: Hansen, et al.			
		FILING DATE: February 15, 2002	GROUP: 1645		
U.S. PATENT DOCUMENTS					
Examiner's Initials	U.S. Patent No.	Applicant	Issue Date	Class	Subclass
	4,110,043	Eisert	August 29, 1978	356	102
	4,765,737	Harris et al.	August 23, 1988	356	336
U.S. PATENT APPLICATIONS					
Examiner's Initials:	Serial Number:	Applicant:	Publication Date:	Group:	Art Unit:
	2002/0176069 A1	Hansen et al.	November 28, 2002		
FOREIGN PATENT DOCUMENTS					
Examiner's Initials	Document No.	Country	Publication Date	Translation	
				Yes	No
	WO 00/36396	PCT	June 22, 2000		
	WO 00/11449	PCT	March 2, 2000		
	WO 99/37814	PCT	July 29, 1999		
OTHER DOCUMENTS					

1 of 2

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SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary)		APPLICANT: Hansen, et al.		
		FILING DATE: February 15, 2002	GROUP: 1645	
Examiner's Initials	Citation (Including Author, Title, Date, Pertinent Pages, Etc.) International Search Report issued for corresponding PCT application PCT/US 02/26334			
EXAMINER	DATE CONSIDERED			
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.				

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